

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SYDNEY WISDOM,

Plaintiff,

Write the full name of each plaintiff.

17-cv-4837(CM)

(Include case number if one has been assigned)

-against-

AMENDED
COMPLAINT
(Prisoner)

THOMAS GRIFFEN, Superintendent of
G.H.C.F.; M. LOIODICE, Inmate Records
Coordinator; H. KNAPP, Correspondence Department;
A.D.A. ANN BORDLEY, Assistant District Attorney
of Brooklyn, N.Y. (Kings County),
Defendants.

Do you want a jury trial?
☒ Yes ☐ No

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1-17-18

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. LEGAL BASIS FOR CLAIM

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☐ Other: _____

II. PLAINTIFF INFORMATION

Each plaintiff must provide the following information. Attach additional pages if necessary.

<u>SYDNEY</u>	<u></u>	<u>WISDOM</u>
First Name	Middle Initial	Last Name

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

#07-A-2619

Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

GREEN HAVEN CORRECTIONAL FACILITY

Current Place of Detention

594 Route 216 - Post Office Box 4000

Institutional Address

<u>STORMVILLE</u>	<u>NEW YORK</u>	<u>12582-4000</u>
County, City	State	Zip Code

III. PRISONER STATUS

Indicate below whether you are a prisoner or other confined person:

☐ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☒ Convicted and sentenced prisoner

☐ Other: _____

IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:	<u>THOMAS GRIFFEN</u>		
	First Name	Last Name	Shield #
	<u>SUPERINTENDENT OF GREEN HAVEN C.F.</u>		
	Current Job Title (or other identifying information)		
	<u>G.H.C.F., 594 ROUTE 216</u>		
	Current Work Address		
	<u>STORMVILLE</u>	<u>NEW YORK</u>	<u>12582-4000</u>
	County, City	State	Zip Code
Defendant 2:	<u>M. LOIODICE</u>		
	First Name	Last Name	Shield #
	<u>INMATE RECORDS COORDINATOR (G.H.C.F.)</u>		
	Current Job Title (or other identifying information)		
	<u>G.H.C.F., 594 ROUTE 216</u>		
	Current Work Address		
	<u>STORMVILLE</u>	<u>NEW YORK</u>	<u>12582-4000</u>
	County, City	State	Zip Code
Defendant 3:	<u>H. KNAPP</u>		
	First Name	Last Name	Shield #
	<u>CORRESPONDENCE DEPARTMENT (G.H.C.F.)</u>		
	Current Job Title (or other identifying information)		
	<u>G.H.C.F., 594 ROUTE 216</u>		
	Current Work Address		
	<u>STORMVILLE</u>	<u>NEW YORK</u>	<u>12582-4000</u>
	County, City	State	Zip Code
Defendant 4:	<u>ANN BORDLEY</u>		
	First Name	Last Name	Shield #
	<u>ASSISTANT DISTRICT ATTORNEY OF KINGS COUNTY</u>		
	Current Job Title (or other identifying information)		
	<u>RENAISSANCE PLAZA, 350 JAY STREET</u>		
	Current Work Address		
	<u>BROOKLYN</u>	<u>NEW YORK</u>	<u>11201-2908</u>
	County, City	State	Zip Code

FACTS OF THE CASE:

Defendants, by withholding plaintiff's documents, prevented him from perfecting his Federal Habeus Corpus, thereby hindering his legal claims; by unjustifiably interfering with his legal documents.

Each of the Defendants actions contributed to him being denied access to the court(s). Defendant, THOMAS GRIFFEN, who is the Superintendent of Green haven Correctional facility, failed to intervene or properly supervise his subordinates actions after receiving plaintiff's legal documents, and knowingly withholding them (or, upon information and belief, causing them to be withheld) when he knew that he was named as a "respondent" in plaintiff's habeus corpus. His actions staged the First Amendment violation, which made the plaintiff miss his deadline for perfecting said habeus corpus, inter alia.

The Defendants have N.Y.S.D.O.C.C.S. directives which mandate how a prisoner's mail and legal mail should be processed and opened, which M. LOIODICE, and H. KNAPP, have categorically ignored. Upon information and belief, one of these defendants forged plaintiff's signature and dates, thereby committing fraud, among other things.

The Defendant, H. KNAPP, upon information and belief, intercepted and withheld the plaintiff's legal documents, causing him to miss his habeus corpus deadline.

Furthermore, upon information and belief, Defendant(s) THOMAS GRIFFEN conspired with one (or more) of the other named defendant(s) [upon information and belief] to forge plaintiff's signature, with fraudulent intent, in a gross attempt to show or prove that plaintiff received his documents, when, in fact he did not.

Each Defendant played a viable role in preventing plaintiff from receiving his legal documents, concealing them from plaintiff (for well over a month).

Each Defendant has played a role in violating plaintiff's right(s), according to the 14th Amendment of the U.S. Constitution, by intervening with his access to the court.

Plaintiff has exhausted his remedies by filing complaints and institutional grievances, in attempts to rectify these matters and provide actual notice of said violations.

V. STATEMENT OF CLAIM

Place(s) of occurrence: GREEN HAVEN C.F.'s ADMINISTRATIVE BUILDING

Date(s) of occurrence: ON (IN) AUGUST OF 2015 (SEE ALL EXHIBITS AFFIXED.)

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

(SEE "FACTS" ATTACHED)

FIRST CLAIM FOR RELIEF (Against EACH Named Defendant)

ALL DEFENDANTS, by their actions as described and alleged herein, in retaliating against the plaintiff and/or concealing and/or conspiring in and furthering such retaliation for his protected, access to the courts-related activity (i.e., meritorious Habeas Corpus relief, etc.) and/or other protected First Amendment and Fourteenth rights under the United States Constitution;

SECOND CLAIM FOR RELIEF (Against EACH named Defendant) GRIFFEN, LOIDICE, KNAPP, BORDLEY

By their actions (or lack thereof) as described and alleged herein, in failing to intervene, stop, and/or mitigate the harm(s) suffered by the plaintiff in properly supervising the Correspondence Dept., F.O.I.L. Office, and Inmate Records Office to prevent an unfair advantage and intrusion of legal action, fraud, forgery, and failing to otherwise investigate and/or otherwise remedy such wrongs, despite his/her having been placed on actual notice of such practices, wrongs, and unconstitutional acts and violations by earlier reports, complaints, grievances, appeals, and other sources of information (i.e., implied or imputed knowledge, etc.) DEFENDANTS

GRIFFEN, LOIODICE, KNAPP, BORDLEY, and "JOHN DOE" evinced deliberate indifference towards and tacit authorization and ratification of the adverse actions against the plaintiff, thereby violating his First and Fourteenth Amendment rights under the United States Constitution;

THIRD CLAIM FOR RELIEF (Against Defendants GRIFFEN, LOIODICE, KNAPP, & BORDLEY)

By their actions as described herein and alleged, for the FRAUD, FORGERY, & withholding of important, time-sensitive legal documents, interference with legal correspondence, the very chilling effect on said communications interference, thereby infringing upon plaintiff's access to the courts to challenge a meritorious legal issue violated First & Fourteenth Amendment for due INJURIES: process under U.S. Constitution, inter alia.

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

Substantial injuries included mental/emotional anguish, denial of meritorious Federal Habeas Corpus issues that were considered by the N.Y.S. Court of Appeals

VI. RELIEF

State briefly what money damages or other relief you want the court to order.

1. Declare that the acts set forth herein by each defendant are in violation of plaintiff's rights under the Constitution & laws of the United States; and
2. Enter judgment in favor of plaintiff for reasonable actual & compensatory damages against each of the defendants, jointly & severally, not to exceed \$75,000; and
3. Enter judgment for plaintiff for punitive damages against each defendant in the amount of \$150,000, jointly & severally; and
4. Grant such other and further relief as this court deems just and proper.

VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

DECEMBER 22ND, 2017
Dated
SYDNEY
First Name
WISDOM
Middle Initial
Last Name
GREEN HAVEN C.F., 594 ROUTE 216, P.O. Box 4000
Prison Address
STORMVILLE, NEW YORK 12582-4000
County, City State Zip Code

Date on which I am delivering this complaint to prison authorities for mailing: 12/26/17.

EXHIBIT A. A1,
THOMAS GRIFFIN

AND M. LIDDICE

EXHIBIT A

11/19/17

DEFENDANT, GRIFFIN, EX. A

DEFENDANT, ~~LODICE~~, MICHELLE

PLEASE SEE EX. C. ~~PAGE 2 AND 4.~~

III II EX D,

PLEASE SEE EX. C. PAGE

PLEASE SEE EX. D. ~~PAGE 4.~~ 4

LEGAL MAIL FROM KINGS COUNTY A.D.A. ANN
BORDLEY WAS ILLEGALLY SENT TO THE SUPERINTENDENT,
I.R.C. AND SINCE THEY ^{ARE} NOT AN ATTORNEY OR A MEMBER OF THE
COURT. NEITHER HAVE PLAINTIFF DELEGATED THEM AS
HIS POWER OF ATTORNEY, THEREFORE ~~HE HAS NO LEGAL~~ HE
OR HIS STAFF NAMELY I.R.C. COORDINATOR ^{OR HIS SUPP.} HAVE ^{NO} LEGAL
RIGHT ^{TO} OPEN PLAINTIFFS LEGAL MAIL IN HIS ABSENCE THEN
KEEP ONE SET FOR ~~THREE~~ ^{FOUR} DAYS. THEN KEEP ANOTHER
SET FOR ONE MONTH AND ONE DAY. ALSO FOR ~~I.R.C.~~ I.R.C.
COORDINATOR MS. M. LOIDICE TO INTERSEPT PRIVATE LEGAL
MAIL SENT TO ME FROM PRIVATE ATTORNEY FROM AUGUST OF
2015 UNTIL DECEMBER 2015 THEN FORGED, TAMPERED WITH
ATTORNEYS' LETTER TO PLAINTIFF, THEN GIVING PLAINTIFF
THESE LEGAL MAIL WITHOUT ANY ENVELOPE BY A SUPPORT
WORKER IN THE ADM. BUILDING.

AFTER A LONG AND DELEGENT INVESTIGATION WITH MANY SETBACK I
INITIALLY ON 11/20/17 I LEARN THE SUPPORT WORKER NAME, ERIC FORRESTER

11/10/17

THE GRIFFIN ADMINISTRATION GAINED ADVANTAGE BY OPENING AND READING PLAINTIFF'S CONFIDENTIAL LEGAL ~~MAILS~~ MATERIALS OUTSIDE OF HIS PRESENCE WITHOUT HIS KNOWLEDGE OR HIS CONSENT.

DEFENDANTS ARE NOT PLAINTIFF'S ATTORNEY OR HIS LEGAL ADVISOR, MOST OF THESE CONFIDENTIAL LEGAL MATERIAL WAS TITLED WISDOM V. GRIFFIN.

THE GRIFFIN ADM. SHOULD HAVE NEVER HAVE OPEN MY CONFIDENTIAL LEGAL MATERIAL BECAUSE THEY ARE NOT MY LEGAL REPRESENTATIVE OR MY LEGAL ADVISOR'S ESPECIALLY SINCE THESE LEGAL MAILS WAS VERSES THEM.

SUPERINTENDENT THOMAS GRIFFIN IN RESPONCE TO GRIEVANCE NO 8 -16 STATE THE FOLLOWING (LEGAL MAIL FOR SYDNEY WISDOM WAS SENT BY ADA ANN BODLEY TO HIM SHOULD THIS BE TRUE HE SHOULD NOT HAVE ACCEPTED OR OPEN THEM OUTSIDE MY PRESENCE, THEN SITS ON THEM FOR OVER ONE MONTH.

11/19/17

EXHIBIT, A.

1. DEFENDANT THOMAS GRIFFIN.
2. DEFENDANT MICHELLE LOIODICE.

PLEASE SEE EX. C.

''' '' EX. D.

LEGAL MAIL FOR PLAINTIFFS FROM KINGS COUNTY
A.D.A. ANN BORDLEY, WAS ILLEGALLY SENT TO SUPT.
T. GRIFFIN. AND I.R.C. M. LOIODICE. WHO ILLEGALLY
RECEIVED AND OPEN SAME IN MY ABSENCE WITHOUT
MY KNOWLEDGE OR CONSENT. THEN THEY KEPT ONE
SET FOR FOUR (4) DAYS AND ANOTHER FOR OVER ONE (1)
MONTH. SUPT. GRIFFIN AND I.R.C. COORDINATOR MS. LOIODICE
ARE NOT LICENSED ATTORNEYS ARE THEY MEMBERS OF THE U.S.
COURT SYSTEM NEITHER ARE THEY PLAINTIFFS LEGAL REPRE.
ALSO I.R.C. COORDINATOR MS. M. LOIODICE INTERCEPT PRIVATE
~~PRIVATE~~ PRIVILEGED MAIL SENT TO ME BY MY PRIVATE ATTOR.
AND KEPT IT FOR OVER FOUR (4) MONTHS THEN SHE TAMPERED
WITH THE INCLOSED COVER LETTER BY USING A BLACK MARKER
AND CROSS OUT AUGUST THEN SHE WROTE DECEMBER THEN SHE
WROTE G6-358. WHERE I USED TO SLEEP. THESE PRIVILEGED
MAIL WAS ALL GIVEN TO PLAINTIFF WITHOUT ANY ENVELOPE IN
THE ADM. BUILDING, PLAINTIFF HAD TO SIGNED ON PLAIN
WHITE TYPING PAPER FOR THESE LEGAL DOCUMENTS

11/19/17

EXHIBIT, A.

THEY THEN FORGED PLAINTIFF HAND WRITING AND HIS SIGNATURE WHEN THEY DOCTORED THE PLAIN WHITE WRITING THAT PLAINTIFFS SIGNED IN ADMIN. BLDG.

THESE PRIVILEGED MAIL WAS GIVING TO PLAINTIFF NOT BY A SECURITY STAFF AS COUSTOMARY BUT WAS GIVEN TO HIM BY A SUPPORT WORKER WHO WOULD NOT GIVE PLAINTIFF HIS NAME, HOWEVER AFTER A LONG DILEGENT INQUERY PLAINTIFF FINALLY FOUND OUT HIS NAME WHICH IS ~~JASON~~ ERIC FORRESTOR

EXHIBIT A. I.

PLEASE SEE EX. A. C. D.

DEFENDANT MICHELLE LOIODICE

DEFENDANT LOIODICE ILLEGALLY INTERCEPT PRIVATE PRIVILEGED MAIL SENT ON AUGUST 10, 2015 BY PLAINTIFF PRIVATE ATTORNEY AND KEPT IT UNTIL DECEMBER 2015. THEN SHE CROSS OUT AUGUST WITH A BLACK MARKER THEN WROTE DECEMBER AND G6-358 WITH SAME BLACK MARKER. SHE ALSO INTERCEPT PRIVILEGED MAIL ~~FOR~~ SENT TO PLAINTIFF AND KEPT ONE SET FOR FOUR DAYS AND ONE SET FOR OVER ONE MONTH SHE THEN WITH WITH THE FOIL OFFICER HC FORGED MY WRITING AND SIGNATURE ON THREE DIFFERENT LOCATION SO IN ONE OF THESE DOCUMENT SHE SPELLS MY NAME WRONG. I. R. C. M. LOIODICE IS NOT AN ATTORNEY NEITHER IS SHE A MEMBER OF THE U.S. OR N.Y.S. COURT SYSTEM. THEREFORE BY HERE INTERFERING WITH PLAINTIFFS PRIVATE PRIVILEGED MAIL WITHOUT MY KNOWLEDGE OR MY CONSENT IN MY ABSENT SHE HAS VIOLATED BOTH UNITED STATES AND NEW YORK STATES CONSTITUTION AND ESTABLISHED LAWS AND STATUTES. NEITHER IS MS. M. LOIODICE THEN NOW OR FORWARD IS PLAINTIFFS LEGAL REPRESENTATIVE. ALSO DURING GRIEVANCE NO: 82391-16 INVESTIGATION AND HEARING SHE SUBMITTED FALSE DOCUMENTS.

EXHIBIT A,

1. DEFENDANT T. GRIFFIN

CLAIM THAT ADA ANN BORDLEY, SENT SYDNEY WISDOM PRIVATE PRIVILEGED MAIL TO HIM. IF THIS IS TRUE, DEFENDANT IS NEITHER A LAWYER OR A MEMBER OF THE COURT, NEITHER HAVE PLAINTIFF DELEGATED HIM AS HIS POWER OF ATTORNEY, ALSO AS THE SUPERINTENDANT OF THIS FACILITY HE KNOWS OR SHOULD HAVE KNOWN THAT IT'S ILLEGAL TO RECEIVE OR OPEN SOMEONE ELSE PRIVATE PRIVILEGED MAIL ~~BENEFIT~~ WITHOUT THEIR ~~APP~~ CONSENT IN THEIR ABSENCE. THEREFORE AS THE SUPERINTENDANT OF THE FACILITY IT'S HIS DUTY TO SUPERVISE EVERY MEMBER OF HIS STAFF REGARDING THEIR DUTY AND RESPONSIBILITY. ~~THE~~ THESE PRIVATE PRIVILEGED MAIL WAS ILLEGALLY SENT TO HE THEREFORE HE SHOULD NOT HAVE ACCEPTED THEM. THEN ONE SET WAS KEPT FOR FOUR DAYS BEFORE GIVEN TO PLAINTIFF AND ANOTHER FOR OVER ONE MONTH. IT'S AGAINST THE CONSTITUTION OF UNITED STATES AND NEW YORK STATES TO ACCEPT OPEN READ SOMEONE ELSE MAIL. I

PLEASE SEE EX. C. D. A. A.I.

Exhibit ^{cc} ~~A~~ 97 NYSDOCCS
Directive #4421, Privileged Correspondence
page 3 of 4.

A

B. Incoming Privileged Correspondence

1. *Confidentiality*: Incoming privileged correspondence shall not be opened outside the presence of the inmate to whom it is addressed, and shall not be read without express written authorization from the facility Superintendent (see Section III-C below).
A log entry should document any incoming privileged correspondence erroneously opened outside the presence of the inmate to whom it is addressed (see Section III-B-3 below). If appropriate, a photocopy of an erroneously opened envelope shall be included.
2. *Priority Handling*: Incoming privileged correspondence shall be given priority handling and shall be delivered in a consistent manner at a time when inmates are available to receive it and which does not interfere with programming. If the inmate to whom privileged correspondence is addressed is not currently at the facility, the provisions of Part 722 of Title 7, "Forwarding Inmate Mail," shall be followed.
3. *Privileged Mail Log*: A log shall be created to record receipt and delivery of incoming privileged mail. It shall identify the sender and include the inmate's name and number, the delivery date and time, the title of the delivery person, and note if the inmate refused to sign a receipt, refused delivery of the mail, or would not respond to delivery calls. If privileged mail is erroneously opened outside the presence of the inmate, that fact and any relevant explanation shall be noted in the log.
4. *Inspection*
 - a. Where x-ray capability exists, incoming privileged correspondence should be x-rayed prior to being opened.
 - b. Except as provided in Section III-C below, all incoming privileged correspondence shall be opened and inspected, in the presence of the inmate to whom it is addressed, for the presence of cash, checks, money orders, and contraband and to verify, as unobtrusively as possible, that the correspondence does not contain material that is not entitled to the privilege.
 - c. When, in the course of inspection, cash, checks, or money orders are found, they shall be removed and credited to the inmate's account.
 - d. When, in the course of inspection, contraband is found, it shall be removed and forwarded to the security office, with appropriate chain-of-custody documentation. When appropriate, the State Police shall be notified.
 - e. When, in the course of inspection, material is found that does not appear to be entitled to the privilege, all parts of the correspondence shall be forwarded directly to the Superintendent without further inspection, and a report from the person opening and inspecting shall detail the circumstances.
 - f. A postage-prepaid envelope received within correspondence from a court or an attorney, which has been pre-addressed by the court or attorney, may be received (subject to inspection by the security staff) and used by the inmate for the intended return correspondence.
5. *Receipt*
 - a. The inmate to whom privileged correspondence is addressed shall sign a receipt for such correspondence. All receipts for incoming privileged correspondence shall be retained in an appropriate file.
 - b. If an inmate refuses to sign a receipt, the delivering employee shall so indicate on the receipt, note the date and time of the refusal to sign, and deliver the correspondence to the inmate.
6. *Refusal*
 - a. If an inmate refuses to accept the privileged correspondence when it is offered, the delivering employee shall note the refusal in the log and any known reason for non-acceptance. The privileged correspondence should be returned to the sender stamped "addressee refused to accept."

SYDNEY WISDOM

DIN: 0792619

GREENHAVEN CORR FACILITY

P.O. BOX 4000

STORMVILLE, NEW YORK 12582

SEPTEMBER 14/2015

LAW OFFICE OF

TROY A. SMITH

ATTORNEY AT LAW, PLLC

34 SOUTH BROADWAY, SUITE 218

WHITE PLAINS, N.Y. 10601

DEAR COUNSEL SMITH:

GOOD DAY TO YOU AND YOUR

STAFF I PRAY THESE FEW OF MINE FINDS YOU IN THE
BEST OF HEALTH. MR. SMITH I AM KINDLY ASKING
THAT YOU PLEASE IF YOU COULD KINDLY SEND FOR ME
MY APPEAL BRIEF AND THE PEOPLE'S RESPONSE AS SOON
AS YOU POSSIBLE CAN. AS YOU BY NOW KNOW THE APPEAL
COURT HAS DENIED BOTH MY APPLICATION FOR PERMISSION
TO APPEAL, ALTHOUGH I RAISE MANY CONSTITUTIONAL
VIOLATIONS, YET THIS SAME COURT GAVE THE PEOPLE PERMISSION
TO APPEAL ALTHOUGH THEY ONLY RAISE ONE LEGAL ISSUE.
THERE IS NO JUSTICE IN THESE COURT OF APPEAL.

I THANK YOU GREATLY FOR YOUR KINDNESS AND PROMPT
RESPONSE TO THE URGENT MATTER. GOD BLESS YOU.

YOUR HUMBLE

SYDNEY WISDOM

**LAW OFFICE OF
TROY A. SMITH**

Attorney at Law, PC

34 South Broadway
Suite 218
White Plains, NY 10601

Main Line: (914) 358-1433

Fax: (914) 358-5203

Email: Troy@NYlawSmith.com

www.ny-criminal-defense-lawyer.com

Re: [unclear]
~~10~~ 10, 2015

G-258

Sidney Wisdom, DIN 07A2619
Green Haven Correctional Facility
594 Rt. 216
Stormville, New York 12582-0010

Dear Sidney:

I was saddened to learn that the Court of Appeals reinstated your conviction in your case. I regret that I am not able to help you with your habeas petitions and other remedies seeking relief at this point. I am returning the paperwork previously provided

Respectfully,



Troy A. Smith, Esq.

EX. A

Forgery can be detected by handwriting on Exhibit ~~2~~ " (dated "3/23/2016") & clearly is NOT Plaintiff's handwriting. This fact can be affirmed by countless documents sent to the IGRC Office & the administration.

This document is the one that was withheld & forged; the one that the Defendant(s) tampered with with forgery

EX. A.



Corrections and Community Supervision

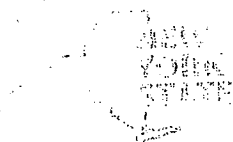
ANDREW M. CUOMO
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

To: Wisdom, S. 07A2619 G6-358
From: FOIL Office
Date: June 30, 2016
Subj: FOIL Request #279-16

Your disbursement in the amount of \$.75 has been processed. Enclosed, please find your copies.

You have the right to appeal in writing to the Office of Counsel, New York State Department of Correctional Services, State Office Campus Building #2, 1220 Washington Avenue, Albany, New York, 12226-2050.



Corrections and
Community Supervision

ANDREW M. CUOMO
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

I RECEIVED United States District Court Eastern District of New York
Sidney Wisdom, petitioner, against Superintendent Thomas Griffin.
THIS DATE FROM THE INMATE RECORDS OFFICE

I UNDERSTAND THAT I MUST RETURN THESE TRANSCRIPTS TO THE COURT AT MY OWN
EXPENSE.

DATE:

3/23/2016

NUMBER:

07A26CE

NAME:

Sidney Wisdom

SIGNATURE:

[Signature]

GREEN HAVEN CORRECTIONAL FACILITY


DATE: 3/23/2016

I received the following on this date from the Inmate Records Office:

United States District Court Eastern District
Of New York, Sidney Wisdom, Petitioner, Against
Superintendent Thomas Griffin, Respondent, Affidavit in
Opposition to Petition for a Writ of Habeas Corpus

NAME: Sydney Wisdom

NUMBER: 0YA2619

SIGNATURE: 

GREEN HAVEN CORRECTIONAL FACILITY

DATE: 2/26/2016

I received the following on this date from the Inmate Records Office:

United States District Court Eastern District
of New York, Sidney Wisdom, Petitioner against
Superintendent Thomas Griffin, Affidavit of service Kings
County Indictment NO. 2374/96

NAME: Sidney Wisdom

NUMBER: 07A-2619

SIGNATURE:  2/26/16

I DID NOT RECEIVE THIS LEGAL DOCUMENT
AS PER LEGAL DOCUMENT PROCEDURE.

THIS ADMINISTRATION HAVE WITHHELD THIS LEGAL
DOCUMENTS ILLEGALLY FOR MANY DAYS READING
MY LEGAL DOCUMENT.

SIGN: S. WISDOM

2/26/16 TIME 11:20P

EXHIBIT B

~~11/19/17~~

DEFENDANT, ANN BORDLEY

EXHIBIT. B.

A. D. A. ANN BORDLEY

HAVE CONTINUED TO VIOLATED THE U.S.
AND N. Y. S. CONSTITUTION. SHE HAS ALSO
VIOLATED PLAINTIFFS' CIVIL, AND PRIVACY RIGHTS
WITHOUT REGARD FOR HER "OATH" OF OFFICE
HER "ETHICS" DUTY BY INTENTIONALLY, WILLFULLY
IGNORING, BREAKING THE LAW SHE HAS SWORN TO
PROTECT. BY CONTINUING SENDING PLAINTIFFS'
PRIVATE LEGAL MAIL TO UNAUTHORIZED PERSON OR
PERSONS WITHOUT PLAINTIFFS' KNOWLEDGE OR CONSENT,
ALLOWING THESE PERSONS TO OPEN AND READ PLAINTIFFS'
PRIVILEGED ~~to~~ MAIL THEN WITHHOLDING THEM FOR MONTHS
THEN THEY FORGED MY HAND WRITING AND SIGNATURE.
~~PLEASE SEE EX. C. PAGE. (2) TWO. AND (3) THREE.~~

PLEASE SEE EX. C AND D



OFFICE OF THE DISTRICT ATTORNEY, KINGS COUNTY

RENAISSANCE PLAZA at 350 JAY STREET
BROOKLYN, N.Y. 11201-2908
(718) 250-2000

KENNETH P. THOMPSON
District Attorney

March 14, 2014

Superintendent

GMDC, C-73
15-15 Hazen Street
East Elmhurst, New York 11370

Re: People v. Sidney Wisdom
Indictment No. 2374/96

Dear Sir/Madam:

Enclosed is a copy of my affidavit dated March 14, 2014, for personal service upon the above-named inmate of your institution. Please have this affidavit served forthwith and return to this office an affidavit of your service. I am enclosing a form for your convenience.

Thank you for your cooperation.

Sincerely,

/s/
Ann Bordley
Assistant District Attorney
Kings County

Encl.

NOTARY PUBLIC

Exhibit "B." letter to
Committee on Professional Standards for the
State of New York.

Sydney Wisdom
Din: 07A2619
Green Haven Corr. Fac.
P.O. Box 4000
Stormville, New York
12582-4000

May 25, 2016

Committee On Professional Standard
For The State Of New York
40 Steuben Street
Albany, New York 12207-2109

RE: Misconduct Complaint

Dear Sir/Madam:

Concerning the above reference matter, please accept this letter as a complaint against Kings County A.D.A. Ann Bordley, regarding her unprofessional, illegal and unconstitutional conduct: Kings County A.D.A. Ann Bordley has intentionally continued to violate her oath of office, her ethical duty and standard of her office. The constitution of the United States, and New York Constitution, my constitutional Rights to Due Process and privacy by illegally continuing sending my privileged mail to unauthorized persons who illegally open, read my private mail in my absence without my approval or consent, The Thomas Griffin Administration. See "Exhibit" A1. Letter Post dated 2/22/16, was sent by A.D.A. Ann Bordley to Hon. Eric N. Vitaliand of the United State District Court and myself stating motion requested by the court was sent, this letter was received by me on 2/23/16, but no motion? Then on 2/26/16 on or about 12:55pm: I was sent to the Adm. Bldg. on reaching I was given a motion by a support worker. "This motion was not in any envelop." This privileged mail could have been read by anyone. This was the motion A.D.A. Ann Bordley had informed the U.S. District Court and myself that she had sent. After inspecting this motion, I asked the support worker he get my privileged mail from, he replied: "it was sent to the Adm. Bldg. and his boss gave it to him to give to me this way". Exhibit A2.

On Wednesday March 23, 2016, on about 12:50pm I was sent to the Adm. Bldg. on reaching the same support worker handed me four (4) stacks of motions, again these motions was not in any envelop. Again I was told the same story by the support worker. The cover letter that was with these motions dated February 22, 2016, Exhibit A3. Copies of these motions was filed by A.D.A. Ann Bordley with the United Staes District Court under penalty of perjury. However, these motions were the product of lies, falsehood and bad faith that A.D.A. Ann Bordley knows or should have known that they are false, misleading and damaging to the accused. A.D.A. Ann Bordley as a public officer and an officer of the Courts that owes a duty of fair dealing to the accused and candor to the Courts. Criminal Procedure Law 210.15, CPL-342 Prosecutors has a responsibility to avoid

prejudicial and misleading statements and behaviors. A.D.A. Ann Bordley in motions to the United States District Court affirmed under penalty of perjury that her affirmations are true and correct. By stating 'On February 25, 1996, Defendant was arrested in Baltimore, Maryland for an unrelated attempted murder that defendant committed in that state. On February 29, 1996 the People filed a detainer warrant with Maryland authorities. The facts on February 25, 1996, I was illegally arrested in my home in Baltimore, Maryland by New York Det. Kevin McCann and his partner without an accompanying warrant. Exhibit A4 D.D.5 A5, Det. McCann trial testimonies. Directive #4422, Sub-section 111, 721.3 Procedure clear states, "Incoming privileged correspondence shall not be open outside the presence of the Inmate to whom it is addressed to".

Therefore by A.D.A. Ann Bordley's illegal actions by sending my privileged mail to unauthorized persons without my approval or consent, this action affords these constitutions violation by unauthorized persons.

In conclusion that A.D.A. ANN Bordley be immediately removed from any further handling of case No. 1:15. cv06578-ENY Wisdom v. Griffin and a thorough investigation be done to ascertain the damages done by these reckless illegal actions by A.D.A. Ann Bordley and the person or persons who violated my constitution and privacy rights. Thanks greatly for your time and attention to this urgent matter.

Respectfully submitted,

Sydney Wisdom
Sydney Wisdom
Din. 07A2619
Green Haven Corr. Fac.
P.O. Box 4000
Stormville, N.Y. 12582

cc: Hon. Eric N. Vitaliano
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

KENNETH P. Thompson
Kings County District Attorney
Renaissances Plaza
350 Jay Street
Brooklyn, New York 11201

Sworn to before me
this 25 day may 2016,

P. M. J.
NOTARY PUBLIC



Megan J. Brennan
Postmaster General, (CEO)
U.S. Postal Service (USPS)
475 L'Enfant Plaza S.W.
Washington, D.C. 20260

Eric T. Schneiderman
Attorney General
State of New York
Department of Law, The Capitol
Albany, New York 12224-0341

Division of Criminal Justice
Public Integrity Bureau
120 Broadway
New York, New York 10271-0332

State of New York
Supreme Court, Appellate Division
Third Judicial Department
Committee on Professional Standards
286 Washington Avenue Extension, Suite 200
Albany, NY 12203-6320
<http://www.nycourts.gov/ad3/cops>



(518) 285-8350
FAX (518) 453-4643
ad3cops@nycourts.gov
Service by Facsimile or Email is not accepted

CONFIDENTIAL

Monica A. Duffy
Chief Attorney

Michael G. Gaynor
Deputy Chief Attorney

Michael K. Creaser
Alison M. Coan
Anna E. Remet
Sarah A. Richards
Principal Attorneys

Joseph L. Legnard
Investigator

Dirk A. Galbraith
Chairperson

Third District

Kevin R. Bryant
Kingston

John Ferrara
Monticello

Yorden C. Huban
Watervliet

Paul T. Kellar
Kingston

William F. Ryan Jr.
Albany

Thomas D. Spain
Troy

Akosua Yeboah
Albany

Fourth District

Lisa A. Burgess
Indian Lake

Cristine Cioffi
Niskayuna

Heidi Dennis
Plattsburgh

Dianne N. Freestone
Clifton Park

Carrie McLoughlin Noll
Queensbury

Carol B. Merchant
Glens Falls

Karla Williams Buettner
Glens Falls

Sixth District

Sarah C. Fitzpatrick
Munnsville

Hany M. Ghaleb
Cooperstown

Mark S. Gorgos
Binghamton

Diana L. Hughes
Elmira

Russell E. Ruthig
Cortland

James T. Stokes
Cazenovia

August 26, 2016

Diana Maxfield Kearse, Chief Counsel
Grievance Committee for 2nd & 11th Districts
Renaissance Plaza
335 Adams Street, Suite 2400
Brooklyn, NY 11201-3745

Re: **Inquiry of Sydney Wisdom**

Dear Ms. Maxfield Kearse:

Enclosed you will find correspondence received from the above named person which indicates that it relates to an attorney over whom your office has jurisdiction of the subject matter.

By a copy of this letter, Mr. Wisdom is advised that we are forwarding his correspondence to you and closing our file.

Very truly yours,

Monica A. Duffy, Chief Attorney
Committee on Professional Standards
Third Judicial Department
MAD/mwk
Enclosure

cc: Sydney Wisdom



JOHN P. CONNORS, JR., ESQ.
Chairman

State of New York
Grievance Committee for the
Second, Eleventh and
Thirteenth Judicial Districts

Renaissance Plaza
335 Adams Street – Suite 2400
Brooklyn, New York 11201-3745
(718) 923-6300

DIANA MAXFIELD KEARSE
Chief Counsel

MARK F. DEWAN
Deputy Counsel

MELISSA D. BRODER
SUSAN KORENBERG
COLETTE M. LANDERS
SHARON GURSEN ADES
SUSAN B. MASTER

KATHRYN DONNELLY GUR-ARIE
THOMAS GRAHAM AMON
SASHA N. HOLGUIN
DAVID W. CHANDLER
Assistant Counsel

September 12, 2016

PERSONAL AND CONFIDENTIAL

Sydney Wisdom
07-A-2619
Green Haven Correctional Facility
P.O. Box 4000
Stormville, New York 12582

Re: **File No: K-1396-16**

Dear Mr. Wisdom:

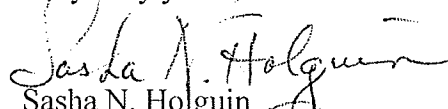
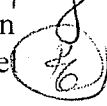
This will acknowledge receipt on August 29, 2016, of your complaint dated May 25, 2016, regarding a Kings County attorney.

Please be advised that the function of the Committee is to investigate and prosecute acts of professional misconduct committed by attorneys. When a complaint is received, we review it to determine if it involves behavior which could constitute professional misconduct by the attorney. An attorney may be found guilty of professional misconduct if it can be proven that an ethical rule or law was violated. If there is a sufficient basis to conduct an investigation, the Committee will do so. Otherwise, no action will be taken. After reviewing your letter, it has been determined that it does not state a complaint of professional misconduct.

If it is your feeling that your legal rights need protection, we recommend that you consult with an attorney of your own choosing. The Committee is not permitted to give you legal advice or act as your attorney.

Although we appreciate your efforts, we are unable to assist you.

Very truly yours,


Sasha N. Holguin
Assistant Counsel 

SNH/cc

EXHIBIT C

11/19/17

EXHIBIT C.

DEFENDANT H. KNAPP.

THE PROBLEMS STARTS IN THE CORRESPONDENCE ROOM, WHERE H. KNAPP WORK.

H. KNAPP ARE TRAINED IN THE PERFORMANCE OF DUTY AND SHOULD KNOW THAT IT'S AGAINST U.S. N.Y.S. CONSTITUTION, LAWS AND STATUTES TO SEND PERSONS OR PERSON PRIVILEGED MAIL TO UNAUTHORIZED PERSONS, OR PERSON, THEN DURING THE INVESTIGATION AND HEARING OF GRIEVANCE NO: 82391-16 SUPPLIED BOGUS DOCUMENT. PLEASE SEE EXHIBIT C. PAGE (2) TWO. PLEASE SEE 111 D.

NEW YORK STATE DEPARTMENT OF CORRECTIONS
AND COMMUNITY SUPERVISION
GRIEVANCE COMPLAINT

Grievance No.

82391-16

GREEN HAVEN CORRECTIONAL FACILITY

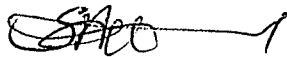
Date 3/7/2016

Name SYDNEY WISDOM Din. No. 07A2619 Housing Unit G6-358
Program — AM — PM —

(Please Print or Type - This form must be filled within 21 calendar days of Grievance Incident)*

Description of Problem: (Please make as brief as possible) ON 2/26/16 I WAS CALLED TO ADMIN. BLDG. FOR LEGAL MAIL THAT WAS ADDRESSED WISDOM V. GRIFFIN. THIS LEGAL MAIL WAS IN RESPONSE PER POST CONVICTION MOTION IN THE FORM OF HABEAS CORPUS. THIS LEGAL MAIL WAS OPEN OUTSIDE OF MY PRESENCE IN VIOLATION OF DIRECTIVE NO: 4421.111.721.3 LEGAL MAIL SHOULD NOT BE OPENED OUTSIDE OF THE PRESENCE OF THE INMATE IT'S ADDRESS TO. I AM CONCERNED ABOUT THIS MATTER BECAUSE IT'S MY OPINION THAT THIS LEGAL MAIL WAS INTENTIONALLY OPEN SO THAT THE ADMINS. CAN HAVE A HEADS UP ON THEIR CURIOSITY ABOUT CONTENTS OF LEGAL MAIL. THIS PRIVATE LEGAL MAIL WAS GIVEN TO ME WITHOUT ANY ENVELOPE.

Grievant
Signature



Grievance Clerk _____ Date: _____

Advisor Requested ☐ Yes ☐ No Who: _____

Action requested by inmate:

THAT A FULL INVESTIGATION BE DONE TO FIND OUT WHY LEGAL MAIL ADDRESSED TO ME WAS OPEN OUTSIDE OF MY PRESENCE, THEN KEPT FOR THREE DAYS THEN GIVEN TO ME WITHOUT THE INCOMING ENVELOPE, THAT THE GUILTY PARTIES BE PUNISHED ACCORDING AS PROCEDURE THE ESTABLISHED LAWS.

This Grievance has been formally resolved as follows:

This Informal Resolution is accepted:

(To be completed only if resolved prior to hearing)

Grievant

signature _____ Date: _____

If unresolved, you are entitled to a hearing by the Inmate Grievance Resolution Committee (IGRC).

*An exception to the time limit may be requested under Directive #4040, section 701.6(g).

FORM 21312E (REVERSE) (9/12)

Response of IGRC:

Code 41

82391-16

IGRC RECOMMEND DIR# 4421 BE ADHERE TO
Dealing with legal mail BEING OPEN IN THE
PRESENCE OF INMATE.

NOTE: INVESTIGATION log BOOK with grievant SIGN FOR legal mail
ON 2-23-16 - GRIEVANT COMPLAINT ABOUT legal mail THAT HE
RECEIVE ON 2-26-16 AND WAS OPENED BEFORE GRIEVANT RECEIVED MAIL
AT Admin Bldg.

Date Returned to Inmate: 3-29-16

IGRC Members:

Chairperson:

Return within 7 calendar days and check appropriate boxes.*

☐ I disagree with IGRC response and wish to
appeal to Superintendent.

☒ I agree with the IGRC response and wish to
appeal to the Superintendent.

☐ I have reviewed deadlocked responses.
Pass-Thru to Superintendent.

☐ I apply to the IGP Supervisor for
review of dismissal.

Signed:

Grievant

Date

Grievance Clerk's Receipt

Date

To be completed by Grievance Clerk.

Grievance Appealed to the Superintendent:

Date

Grievance forwarded to the Superintendent for action:

Date


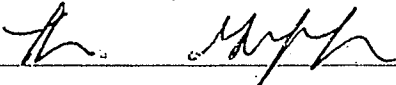
* An exception to the time limit may be requested under Directive #4040, section 701.6(g).

JC

Grievant WISDOM

Number 07A2619

Cell G6-358

 Corrections and Community Supervision	Grievance Number 82391-16	Date Filed 3/14/2016
	Title LEGAL MAIL OPENED	Code 41
Inmate Grievance Program	Superintendent's Signature 	Date 4-20-16

Grievant complains that his legal mail should not have been opened when he received it.


According to the investigation, legal mail for the grievant was addressed to and received in the IRC Office on 2/23/16. IRC staff had instructions to serve this paperwork on the grievant. The grievant signed for and received these papers on 2/25/16.

***Grievance is denied to the extent noted above.

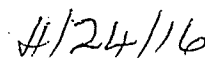
Appeal Statement

If you wish to refer the above decision of the Superintendent please sign below and return this copy to your Inmate Grievance Clerk. You have seven (7) calendar days from receipt of this notice to file your appeal. Please state why you are appealing this decision to C.O.R.C.

I AM APPEALING THE SUPERINTENDENTS' RESPONSE, HE HAS FAILED TO ADDRESS THE ILLEGAL ACTION OF HIS ADMINISTRATION, IN VIOLATING (DOCCS) POLICIES AND PROCEDURE, BY DISREGARDING DIRECTIVE #4421, SECTION III.



Grievant's Signature



Date

Grievance Clerk's Signature

Date

GRIEVANCE NO: 82391-16
PAGE TWO OF TWO

721.3 PROCEDURE PRIVILEGED CORRESPONDENCE.

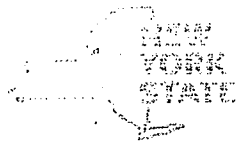
THIS PRIVILEGED MAIL WAS GIVEN TO ME ON OR ABOUT 12:50 P.M. ON FRIDAY FEBRUARY 26/2016 NOT 2/25/16 AS THE SUPERINTENDENT STATED IN HIS RESPONSE. HE DID NOT ADDRESS THE ESSENCE OF THE GRIEVANCE, OF WHY IT WAS ILLEGALLY OPEN IN MY ABSENCE WITHOUT (DOCCS) OR WISDOM APPROVAL. THIS ACTION BY THE THOMAS GRIFFIN ADMINISTRATION OF VIOLATING MY CONSTITUTIONAL RIGHTS AND PRIVACY RIGHTS ARE IN VIOLATION OF FEDERAL STATUTES AND CASE LAWS. PLEASE SEE *CODY V. W.C.B.E.R.*, 256 F.3d. 764 (8th Cir. 2001), IN THE I.G.R.C. INVESTIGATION CORRESPONDENCE DENIED SENDING PRIVILEGED MAIL TO THE ADMIN. BLDG. THEY ALSO SUPPLIED A DATE THAT IS NOT IN ANY DISPUTE. THAT HAS NOTHING TO DO WITH THIS ISSUE.

THE DATE AT ISSUE ARE 2/26/16.

SYDNEY WISDOM

4/24/16

66-358



Corrections and
Community Supervision

ANDREW M. CUOMO
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

MEMORANDUM

To: Wisdom, S. 07A2619 G6-358
From: IGP Supervisor Stanaway
Subject: 9/3/16 Correspondence
Date: September 9, 2016

Regarding your request for the status of appeals to CORC for the following grievances:

GH80804-15 this one is at CORC and we are awaiting a decision
GH81267-15 we did not receive an appeal to CORC for this grievance
GH82391-16 we did not receive an appeal to CORC for this grievance
GH82706-16 this one is at CORC and we are awaiting a decision.

CORC receipts are generated from Albany and we send those out to the inmates within 2 days of receiving them at the facility.

cc: Files:

80804-15
81267-15
82391-16
82706-16

TO: IGP. SUPERVISOR, MS. STANAWAY

FROM: SYDNEY WISDOM, DIN: 07A2619

SEPTEMBER 13/2016

DEAR SIR/MADAM:

I RECEIVED YOUR MEMO, DATED 9/12/16 IN WHICH YOU STATED THE FOLLOWING "[GRIEVANCE NO: 82391-16 IS NOT AT CORC]", HOWEVER YOU DID NOT STATE WHERE IT WERE. PLEASE NOTE THIS GRIEVANCE WAS APPEALED BY ME ON 4/24/16 TO CORC, AND PLACED INTO THE PROVIDED GRIEVANCE BOX AT THE EASTSIDE MESS-HALL ENTRANCE. PLEASE BE ADVISED FACILITY INMATES HAVE NO ACCESS TO GRIEVANCES BOXES. GRIEVANCES PLACED INTO THESE BOXES ARE TOO OFTEN GONE MISSING, PLEASE NOTE THE ONLY PERSONS WHO HAVE ACCESS TO THESE BOX ARE THE IGP. SUPERVISORS AND SECURITY SGT. I AM THEREFORE APPEALING AGAIN TO YOU THAT YOU PLEASE IMMEDIATELY FORWARD SAID GRIEVANCE TO CORC. WITHOUT ANY FURTHER DELAY, THANKS GREATLY FOR YOUR PROMPT ATTENTION TO THIS URGENT MATTER.

END OF COMPLAINT

SYDNEY WISDOM

9/13/16

EXHIBIT D

EXHIBIT D

COVER LETTER THAT I RECEIVED WITH PRIVATE PRIVILEGED MAIL ON 3/23/16 WAS DATED FEBRUARY 22/2017 THESE LEGAL MAILS ARE TITLED WISDOM V. GRIFFIN I R C. COORDINATOR M. LOIODICE ILLEGALLY INTERCEPT PLAINTIFFS' PRIVATE PRIVILEGED MAIL ICEPT IT FOR OVER ONE MONTH, PLAINTIFF DOES NOT KNOW HOW MANY ~~ADAM~~ OF THE T. GRIFFIN ADMINISTRATION WORKERS READ THIS PRIVATE PRIVILEGED MAIL OR HOW MANY COPIES THEY HAVE MADE DURING THIS MONTH. THE THOMAS GRIFFIN ADMINISTRATION CLEARLY VIOLATED PLAINTIFFS RIGHT TO PRIVACY, CIVIL RIGHTS RIGHT TO ACCESS THE COURT, RIGHT TO A DEFENCE WITHOUT THE OPPOSING PARTIES GAINING UNFAIR ADVANTAGE BY READING AND TAMPERING WITH PLAINTIFFS' LEGAL MAIL INTO PLAINTIFFS' DEFENCE, STRAGY.



DISTRICT ATTORNEY
KINGS COUNTY
350 JAY STREET
BROOKLYN, NY 11201-2908
(718) 250-2000
WWW.BROOKLYNDA.ORG

Kenneth P. Thompson
District Attorney

February 22, 2016

Via ECF

Honorable Eric N. Vitaliano
United States District Court Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Wisdom v. Griffin
15-CV-06578 (ENV)

Dear Judge Vitaliano:

I am attaching to this letter the state court record, which is being filed under seal in accordance with this Court's order, dated February 22, 2016.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Bordley".

Ann Bordley
Assistant District Attorney
718-250-2464

By U.S. mail

cc: Sidney Wisdom
Inmate No. 07-A-2619
Green Haven Correctional Facility
P.O. Box 4000
Stormville, New York 12582

NEW YORK STATE DEPARTMENT OF CORRECTIONS
AND COMMUNITY SUPERVISION
GRIEVANCE COMPLAINT

Grievance No.

82706-16

GREEN HAVEN CORRECTIONAL FACILITY

Date 4/7/16

Name SYDNEY WISDOM Din. No. 07A2619 Housing Unit G6-358
Program — AM — PM —

(Please Print or Type - This form must be filled within 21 calendar days of Grievance Incident)*

Description of Problem: (Please make as brief as possible) ON 3/23/16 ON OR ABOUT 12:55 PM:
I WAS CALLED TO THE ADMIN. BLDG. AND GIVEN OPEN PRIVILEGE MAIL
"THIS MAIL WAS NOT IN ANY ENVELOP." THIS PRIVILEGE MAIL WAS ILLEGALLY
OPEN IN MY ABSENCE WITHOUT MY CONSENT, IN DIRECT VIOLATION OF
DIRECTIVE NO. 44.21 "INCOMING PRIVILEGE CORRESPONDENCE," ALSO IN VIOL-
ATION OF THE UNITED STATES CONSTITUTION AND ESTABLISHED LAWS, AND N.Y.S.
CONSTITUTION. THIS CRIMINAL PRACTICE HAS BECOME A REGULAR CONDUCT →

Grievant
Signature

[Signature]

Grievance Clerk

Date:

Advisor Requested

☐ Yes☐ No

Who:

Action requested by inmate:

THAT THE THOMAS GRIFFIN ADMINISTRATION IMMEDIATELY DISCONTINUE THIS
CRIMINAL BEHAVIOR OF ILLEGALLY TAMPERING WITH MY PRIVILEGED MAIL AND THESE
ILLEGAL CONDUCT BE THOROUGHLY BE INVESTIGATED AND THE GUILTY PARTIES REPREMAN
AND A REPORT OF THEIR CRIMINAL CONDUCT BE PLACE IN THEIR FOLDER.

This Grievance has been formally resolved as follows:

This Informal Resolution is accepted:

(To be completed only if resolved prior to hearing)

Grievant

signature

Date:

If unresolved, you are entitled to a hearing by the Inmate Grievance Resolution Committee (IGRC).

*An exception to the time limit may be requested under Directive #4040, section 701.6(g).

OF THE THOMAS GRIFFIN ADMINISTRATION UNDER THE
ASCENDACY OF GHCF. CORRESPONDENCE AND INMATE
RECORDS STAFF. THE COVER LETTER THAT WAS IN
THIS PRIVILEGE MAIL DATED 2/22/16 THIS MEANS
THEY HAD MY PRIVILEGE MAIL FOR ONE MONTH
AND ONE DAY ILLEGALLY READING AND MAKING
COPY OF SAME WITHOUT MY KNOWLEDGED OR
MY CONSENT. THIS PRIVILEGE MAIL WAS FROM
KINGS COUNTY DISTRICT ATTORNEYS OFFICE.
THROUGH A.D.A. ANN BORDLEY.

END OF COMPLAINT

SYDNEY WISDOM

DIN: 07A2619

4/7/2016

FORM 21312E (REVERSE) (9/12)

Response of IGRC:

SPLIT

64-82786-16

CODE -41

2 STAFF AGREE WITH INVESTIGATION

2 REP RECOMMEND THAT DIR# 4421 & P/P 309 BE ADHERE TO AND
 GRIEVANT LEGAL MAIL BE PROCESS IN ACCORDANCE WITH DIR# 4421
 NOTE: GRIEVANT NEVER RECEIVE HIS LEGAL MAIL IN NO ENVELOPE AND NEVER
 SIGN ANY LOG BOOK

Date Returned to Inmate: 6-13-16

IGRC Members:

Chairperson:

Return within 7 calendar days and check appropriate boxes.*

☐ I disagree with IGRC response and wish to appeal to Superintendent.

☒ I have reviewed deadlocked responses. Pass-Thru to Superintendent.

☐ I agree with the IGRC response and wish to appeal to the Superintendent.

☐ I apply to the IGP Supervisor for review of dismissal.

Signed:

Grievant

Date

Grievance Clerk's Receipt

Date

To be completed by Grievance Clerk.

Grievance Appealed to the Superintendent:

Date

Grievance forwarded to the Superintendent for action:

Date


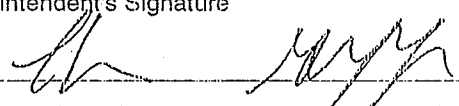
* An exception to the time limit may be requested under Directive #4040, section 701.6(g).

Grievant WISDOM

Number 07A2619

Cell G6-358

JK

 Corrections and Community Supervision Inmate Grievance Program Green Haven	Grievance Number 82706-16	Date Filed 4/13/2016
	Title MAIL OPENED	Code 41
	Superintendent's Signature 	Date 7/14/16

The grievant complains he was given legal mail that was opened and not in an envelope.

According to the investigation on 3/23/16 the grievant was called down to the Admin. Corridor and he was served papers per the request of the Kings County District Attorney's Office. The envelope and the letter from Kings County District Attorney's Office was addressed to the Superintendent, not the grievant.

*** Grievance is denied.

Appeal Statement

If you wish to refer the above decision of the Superintendent please sign below and return this copy to your Inmate Grievance Clerk. You have seven (7) calendar days from receipt of this notice to file your appeal. Please state why you are appealing this decision to C.C.R.C.

I AM APPEALING THE SUPERINTENDENTS' DECISION. DIRECTIVE
4421. III. 721.3 PROCEDURE INCOMING PRIVILEGED
CORRESPONDENCE, WAS NOT ALLOWED. THIS PRIVILEGED


Grievant's Signature

7/21/2016
Date

Grievance Clerk's Signature

Date

GRIEVANCE NO: 82706-16
PAGE TWO OF TWO


CORRESPONDENCE WAS NOT GIVEN TO ME BY A SECURITY STAFF. IT WAS RATHER GIVEN TO ME BY A SUPPORT WORKER, WHO REFUSE TO GIVE ME HIS NAME. THIS ACTION WAS IN VIOLATION OF DIRECTIVE NO: 4421, I WAS NOT ALLOWED TO SIGN THE PRIVILEGED MAIL LOG BOOK IN THE HOUSING BLOCK AS WAS LEGAL AND NORMAL PROCEDURE AFTER THE EVENING-GO-ROUND WITH LEGAL MAIL.

INSTEAD I WAS CALLED TO THE ADMINISTRATIVE BUILDING DURING THE AFTERNOON CALL-OUT WHICH IS VERY STRANGE SINCE I WAS ON CALL-OUT FOR SERVICE. I WAS CALLED TO THE ADMIN. BLDG. ON OR ABOUT 12:55 TO 1 P.M. AND GIVEN PRIVILEGED, PRIVATE MAIL, THIS PRIVILEGED MAIL WAS NOT IN ANY ENVELOPE, I WAS ALSO GIVEN ONE PLAIN SHEET OF WHITE PAPER TO SIGN FOR THE PRIVILEGED MAIL THERE WAS NOTHING WRITTEN ON THIS PAPER BEFORE I SIGN IT. THIS PRIVILEGED MAIL WAS GIVEN TO ME ONE MONTH AND ONE DAY AFTER IT'S ARRIVAL AT THIS FACILITY. THEREFORE THE SUPERINTENDANTS' DECISION MUST BE REVERSE, SO THAT THE ISSUES RAISED IN THE GRIEVANCE COMPLAINT CAN BE FAIRLY ADDRESS.

SYDNEY WISDOM

7/21/16

07A2019 Wisdom, S. Gle-358

 <p>Corrections and Community Supervision</p>	Grievance Number GH-82706-16	Desig./Code I/41	Date Filed 4/13/2016
ANDREW M. CUOMO Governor	ANTHONY J. ANNUCCI Acting Commissioner	Associated Cases	
INMATE GRIEVANCE PROGRAM CENTRAL OFFICE REVIEW COMMITTEE		Facility Green Haven Correctional Facility	
		Title of Grievance Mail Opened	

GRIEVANT'S REQUEST UNANIMOUSLY ACCEPTED IN PART

Upon full hearing of the facts and circumstances in the instant case, the action requested herein is hereby accepted only to the extent that CORC upholds the determination of the Superintendent for the reasons stated.

CORC notes that mail addressed to the Superintendent from Kings County District Attorney's Office was received and the grievant was served the enclosed paperwork on 3/23/16. The mail was not addressed to the grievant and not entitled to privileged handling outlined in Directive #4421.

With respect to the grievant's appeal, CORC notes that the instant complaint was properly investigated in accordance with Directive #4040, and finds no malfeasance by staff.

JAD/

NEW YORK STATE DEPARTMENT OF CORRECTIONS
AND COMMUNITY SUPERVISION
GRIEVANCE COMPLAINT

Grievance No.

82391-16

GREEN HAVEN CORRECTIONAL FACILITY

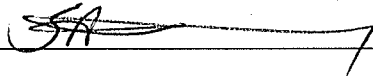
Date 3/7/2016

Name SYDNEY WISDOM Din. No. 07A2619 Housing Unit G6-358
Program AM PM

(Please Print or Type - This form must be filled within 21 calendar days of Grievance Incident)*

Description of Problem: (Please make as brief as possible) ON 2/26/16 I WAS CALLED TO THE ADMIN. BLDG, FOR LEGAL MAIL WHICH WAS ADDRESSED AS WISDOM V. GRIFFIN. THIS LEGAL MAIL WAS IN RESPONSE PER POST CONVICTION MOTION IN THE FORM OF HABEAS CORPUS. THIS LEGAL MAIL WAS OPEN OUTSIDE OF MY PRESENCE IN VIOLATION OF DIRECTIVE #4421.111.721.3 LEGAL MAIL SHOULD NOT BE OPENED OUTSIDE OF THE PRESENCE OF THE INMATE IT'S ADDRESSEE TO. I AM CONCERNED ABOUT THIS MATTER BECAUSE IT IS MY OPINION THIS LEGAL MAIL WAS INTENTIONALLY OPEN SO THE ADMIN. HAVE A HEADS UP ON THEIR CURIOSITY ABOUT CONTENTS OF LEGAL MAIL. THIS LEGAL MAIL WAS GIVEN TO ME WITHOUT ANY ENVELOP.

Grievant
Signature



Grievance Clerk _____ Date: _____

Advisor Requested ☐ Yes ☐ No Who: _____

Action requested by inmate:

THAT A FULL INVESTIGATION BE DONE TO FIND OUT WHY LEGAL MAIL ADDRESSED TO ME WAS OPEN, KEPT FOR THREE DAYS THEN RETURNED TO ME WITHOUT INCOMING ENVELOP AND GUILTY PARTIES BE PUNISHED ACCORDINALLY AS PER PROCEDURE THE ESTABLISHED LAWS.

This Grievance has been formally resolved as follows:

This Informal Resolution is accepted:

(To be completed only if resolved prior to hearing)

Grievant
signature

Date: _____

If unresolved, you are entitled to a hearing by the Inmate Grievance Resolution Committee (IGRC).

*An exception to the time limit may be requested under Directive #4040, section 701.6(g).



Corrections and
Community Supervision

ANDREW M. CUOMO
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

MEMORANDUM

To: Wisdom, S. 07A2619 G6-358
From: IGP Supervisor Stanaway
Subject: 9/3/16 Correspondence
Date: September 9, 2016

Regarding your request for the status of appeals to CORC for the following grievances:

GH80804-15 this one is at CORC and we are awaiting a decision
GH81267-15 we did not receive an appeal to CORC for this grievance

GH82391-16 we did not receive an appeal to CORC for this grievance
GH82706-16 this one is at CORC and we are awaiting a decision.

CORC receipts are generated from Albany and we send those out to the inmates within 2 days of receiving them at the facility.

cc: Files:

80804-15
81267-15
82391-16
82706-16

**LAW OFFICE OF
TROY A. SMITH**

Attorney at Law, PC

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Suite 218
White Plains, NY 10601

Main Line: (914) 358-1433

Fax: (914) 358-5203

Email: Troy@NYlawSmith.com

www.ny-criminal-defense-lawyer.com

December
~~10~~ 10, 2015

Sidney Wisdom, DIN 07A2619
Green Haven Correctional Facility
594 Rt. 216
Stormville, New York 12582-0010

Dear Sidney:

I was saddened to learn that the Court of Appeals reinstated your conviction in your case. I regret that I am not able to help you with your habeas petitions and other remedies seeking relief at this point. I am returning the paperwork previously provided

Respectfully,



Troy A. Smith, Esq.

Mr. Cyphers
J.H. E. R.
594 R.
Stormville, N.Y. 10501-7000

USMS
SDNY

URGENT
LEGAL
ATTORNEY

Pro Se Intake Unit
U.S. Courthouse - 500 Pearl St.
Southern District of New York
New York, New York 10007

GREEN HAVEN
CORRECTIONAL
FACILITY

US POSTAGE \$000.52
01/11/2018
ZIP 12582
0411125901

GREEN HAVEN
CORRECTIONAL
FACILITY

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ZIP 12582
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